

G R S 58]

Bay 25/9/15

Previous references

*Jul 379-08 87, 9 10 & March 1910
— 80 — 81 & 2 8 March 1913
Jul 278-12 8166 8 March 1913*

Jul File No 70-14

Serial Nos 11, 16, 30 & 34, 43

Later references

*Jul 179-158 1128 Feb 7 1916
184-17 1128 May 18
1-25 551, 551-12, 15 80 & 82*

P

GENERAL AND REVENUE SECRETARIAT

Serial Nos 11, 16, 30 & 34, 43.

Part B for August 1915-

SUBJECT

*Report on the account with costs of the appeal
to the Chief Court against the award of the
Dist Judge Bangalore in O-S No 21 of 1911-12.*

O. O. No 74587 of 24 3 15

*Authorizing the Dy. Commr. to make the
necessary payment at once drawing it
as an advance from the Treasury.*

*Butcher
27/9/15*

G R S 11]

11/9/15
1914 - 1915

GENERAL AND REVENUE SECRETARIAT

Number

NOTES

File No 20-14

FILE HEADING

Suits filed by or against the Municipalities in the State.

From

The Govt. Advocate in Mysore

No 133

Dated 3. 11 14

Received 5. 11. 1914

Diary No
3623

Enclos

Spare Copies

Serial No 11

BRIEF ABSTRACT OF LETTER

Reports that the appeal to the Chief Court against the award of the District Judge Bangalore, in O S No 21 of 1911-1912 was dismissed with costs.

NOTES AND ORDERS

T

Attention is invited to the Dy Commissioner's letter dated the 10th Feb. 1913 from which it will be seen that the amount of compensation awarded by the Civil Courts is out of all

R S 12]

General and Revenue
Secretariat

File No 20 of 1916.

Serial
No

proportion to the estimated cost. Now
that the Vokkaligam Sangha has
not fulfilled the conditions and
obligations subject to which these
lands were granted to it free of cost,
it is for consideration whether the
Sangha may not be asked to pay the
difference between the original estimate
and the award made by the Civil Court.

2 As regards the Sangha's failure
to fulfil the conditions referred to
the Dist. President has been requested
separately to report what steps the
Dist. Council propose to take in
the matter.

3 In like reference to the present
question draft calling for a report from
the Dy Commr about the adjustment of
the aforesaid difference in value is submitted.

Entered

By secy)

2011

29.11.16
30

4

Mr

[Kindly remind me of the
cost once a fortnight]

2/12/11
2/12

R S 12]

General and Revenue
Secretariat

22

File No

20

of 1914

Serial
No

66

Letter No 4622 D 4 12 1914 to
the Dy Comm Bangalore DE-

Calls for information as to
how the excess of compensation awarded
is proposed to be met and whether
orders are now necessary in his letter
No 1344 D 10 2 1913

30

From the Deputy Comm Bangalore
of No 5679 D 15 3 15 (D 5863) States
that the provision in the current
year's budget is not sufficient to
meet the extra amount awarded
by the Dy Comm & requests sanction
to pay the amount before the end
of the current month to satisfy the
notice received from the Dy Comm

7 In Govt order of 18 Feb 1910
the acquisition of certain private
properties to the east of the Fort
Central Road in the Bangalore city
for the Vakkaliga Sangha was
sanctioned & the acquisition officer
awarded a compensation of Rs 2228.12
to the owners of the several properties
but some did not agree to the
award their cases were referred to
the Dy Comm for adjudication According

G O No 7190-2

9/18 Feb 1910

Encl 379-6F)-8
Extract Z (1)

ml 27

James

3 S 12]

General and Revenue
Secretariat

File No. 70 of 1914

Serial
No

to the of judge's award an additional
sum of Rs 786-15-0 is due to the
owners An appeal against the
decision of the of judge was
preferred to the chief court with
the result that it stands dis-
missed with costs The deputy court
has ordered sanction to the pay-
ment of the costs sum with
interest

8 The charge is an inevitable one
& can not be put off As the Dy Court
states that the provision in the
budget is not sufficient & as he has
not suggested any reappropriation
he may be requested to make the
payment to the court at once,
meeting it from advances subject
to adjustment in due course. ^{How}
approved by H may be consulted
as to whether this may be done

9 Entd for orders the
Rs 48 Compensation was ordered to
1873/13 he met from the state funds
~~Rs~~ & as the additional sum
now required will have to be met from
sustains charge

In favour of

10

1914-15

19/3

G O No 78422 379009-40

9 8 3 10
Expd 11 2111

James 16 51 7-16-14

NOTE—Contn sheet

5015

Serial
No

Sub?

11

The original file is not sent up Branch
It is unable to suggest any source from which
the required amount can be met

12

12/3/15

Now the amount of the original
award ^{been} paid + of so from what
Source the DC says Budget
provision is inadequate - where is the
Budget provision made, how much
it & how much is now to be paid
(including interest etc)

13

The charge being ascertainable
there is no financial objection to
its being met from any
source from which receipt is
possible if provision made for
the version of the Civil Comptroller of
Public Health Dept or provision
of 1000 under 26 Nov for Village etc

Bv IV

by
22/3

14 Subd for orders under draft

Rs 48

22/3/15

15 A revised draft is out? A
separate order from the H.C. B. to

by communication to the
the Comptroller of Public Health

R. B.

General and Revenue
Secretariat

26 File No. 70 of 1914

Serial
No.

necessary as regards the cases from
which the charge can be met. The
file may if it is subd, be transferred
to B. I. for the needful after the
issue of the draft now proposed
Dm 228

23/3/15 To the draft may be approved,
as payment has to be made
before 31-3-15

Decree)

Am
22/3

1/10, 21, 1
etc 2/11/15
for Shomana
up to 21/11/15
Dewan
21/12/15
for 1/12/15
and 1/12/15

6201
23 3.15

17 Draft may be app

Dewan

23/3/15 Am
22/3

18 Draft approved by the Dewan
24 3 15
21/3

19 Am 659

24/3/15 Am 4-55 Am
22/3

36 20 G.O. No. 7458-9 D. 24 3 1915
Authorizes the Dy. Commr. to make
the necessary payment at once drawn
the amount
as an advance from the Treasury

G R S 12]

General and Revenue
Secretariat

File No

of 191

Serial
No

Have you any objection
to the draft proposed
in this file?

~~Under~~
Orders have to come
at once, as otherwise
the Commr will be drafted
into the Court, under
the decree.

Am
23/3

No Ob by
23/3

G R S 12]

General and Revenue
Secretariat

1457 5863 8
26 File No 70 of 1914

Serial
No

and requests the Comptroller to issue
necessary instructions for the disbursal
of an advance not exceeding Rs 1500/- to
Dy Comr.

21 File resubmitted after which it
may be sent to Br. II for issuing
necessary orders in pursuance of
para 2 of O.L. 34

Mr 28

30.3.15

(Br. II)

Br
3/3

Serial 1457 714-15

22
Sub?

It is not clear whether any orders
are necessary.

Br
1/4/15

23 You may note this for
inclusion in the order about

labours & surrenders - ~~the~~ ^{he}
1/4

P.K.R.

24

noted

The file is returned to

Br IV

Br
17/4/15

he
23 4 15

(Br IV)

Sus

43

25 Letter no S 842 D 26 to
from the Dy Comr Bangalore &
Referring to serial 34

NOTE—Contn sheet

12 148 9
File No 70 of 1914Serial
No.

one of the advance of Rs 1500/- a sum of Rs 921-11-0 was paid to the parties concerned and the balance credited to the Treasury for adjustment towards the advance.

26 File resubmitted with reference to serial 43. The Dy. Commissioner's report in reply to serial 16 may be awaited.

MMS

12-7-15 27/8

17/8

28 File resubmitted with reference to paragraph 2 of serial 34. Box II may be consulted as to whether any further orders are necessary ~~and~~ or orders may be already issued on the note made in para 24.

12-7-15

Box II

Ans
28/8

L O 148 9/15/14

RSD

29 A / yes the order has been issued

16

20 12/8/15

Box

17/8

30 Sub 2 If approved these papers may now be recorded in B.

MMS

Yon Hon

18-8-15

G.P.S.-2, 000-28-11

31/8

138 *10/11/14*
1 mil one
D 3023
From,

20-11
22 11 10

Office of the Government Advocate in Mysore,

Bangalore dated 3rd November 1914.

C. S. Doraswamy Iyer Esq , B.A B L ,
Government Advocate in Mysore, Bangalore

To,

The Offg Secretary to the Government of His Highness
the Maharaja of Mysore, General and Revenue Deptt.

Sir,

U

Adverting to your office memo No 6694/Ml 273-12-3 dated 3rd March 1913 forwarding copy of your letter No 6693/Ml 273-12-3 of the same date to the Deputy Commissioner ---- Bangalore, re an appeal to the Chief Court against the award of the District Judge, Bangalore, in O S No 21 of 11-12, I have the honor to state that the appeal coming on for hearing on the 26th Ultimo, the same was dismissed with costs

2 A copy of ~~the~~ judgment in the appeal (R A No 262 of 1912-13) is herewith forwarded

3. The records received with your letter No 7121/Ml 273-12-3 dated 8th March 1913, have been returned to the ----- Deputy Commissioner, Bangalore with this office No 273 dated 26/30th April 1913

I have the honour to be,

Sir,

Your most obedient servant,

C. S. Doraswamy Iyer
Government Advocate

File No. 70-14-11

412

In the Chief Court of 1 at Bangalore

26th day of October 1914.

Present

Sir Leslie C Miller, Kt., Chief Judge

and

Mr. Justice K S Chandrasekhara Aiyar

Appeal No. 262 of 1912-13

The Deputy Commissioner, Y Appellant.

Bangalore District Y (Respondent)

VS

1. Kidiganappa Y Respondents

2. Rukmaniamma Y (Claimants)
1 and 3

Appeal against the decree of the District Judge of
Bangalore in Original suit No 21 of 11-12

This appeal coming on for hearing this day the court
delivered the following

J U D G M E N T

We think the correct principles of valuation in like cases
the present ~~cases~~ have been laid down in the recent decision
of this Court in Regular appeal No 70 of 13-14

The land has been valued by the District Judge at the
rate paid for it in 1907 by a purchaser. There is nothing
to suggest that the purchaser then overvalued it or failed
to take into consideration the fact that the Government might
refuse permission to build on it.

We do not find anything in the evidence indicating that
there has been in this case an overvaluation by the District
Judge, and we dismiss the appeal with costs.

(Sd) Leslie C Miller

Chief Judge

(Sd) K S Chandrasekhara Aiyar

Judge

C O P Y

Goverment Advocate

4/12 ✓
G R S 26]

T S
File No 70-14
Serial No 16

Diary No of letter replied to 1123

General and Revenue Secretariat

(Mumb.)
8, the 29. 11. 1914

To

No 4622
ml 70-14- of 11/12/14
The Dy. Commr. Bangalore Dt.

Date of issue 11/12/14

Signed by Mr. S. Ramakrishna Rao

W

Sir,

In continuation of the office
Memo No. 7122 dated the
8th March 1913 I am directed
to state that the Govt. Advocate
has since reported that the
appeal to the Chief Court against
the award of the District Judge
Bangalore in O S No. 21 of '11-12
was dismissed with costs, and
to request that you will be

over

SUBJECT

13)

as good as to state how the
excess of Compensation awarded
is proposed to be met and
whether any orders are now
necessary in your letter No. 1346
dated the 10th February 1913

I have &

Ken
30/1/13

For offg. Secy 2/1/13
C

V

List of enclosures,

Copied by

Examined by

W. H. S. S. S.

GFB-25 000-4 3-13

Department of the Court of Magistrates

D 5563/Ml 70-14-30

14/15

IMMEDIATE.

Office of the Deputy Commissioner,
Bangalore District.

Dated Bangalore, 15th March 1915

No. 9547

From

From

K. Chandy Esq., B.A.,

Deputy Commissioner,
Bangalore District.

To

D.M. Narasinga Rao Esq., B.A., B.L.,

Offg: Secretary to the Government of M.H.

the Maharaja of Mysore, Genl. & Rev. Depts

Sir,

With reference to your letter No. 4522 dated 11th December 1914, enquiring whether any orders are necessary on this office letter No. S 344 of the 10th February 1913 etc., I have the honor to state that as the provision in the current year's Budget is not sufficient to meet the extra amount -- awarded by the District Judge, in original suit No. 21 of 1911-12, I request that the extra amount as shown in this office letter adverted above together with the interest since then at the rate of 6% and the costs of the respondents, if any, in the Chief Court, may kindly be sanctioned early, as one of the respondents has applied to the District Judge for execution of the decree and as the District Judge, has served a notice requiring the amount to be sent to the Court before the 31st of the current month

I have the honor to be,

Sir,

Your most obedient servant.

K. Chandy

Deputy Commissioner,
Bangalore District.

L.S.R.
2.

Appropriation of the cost of acquisition
of lands granted for the Vokkaligara
Sangha (15)

G.R.S. 28]

S/25014 -

Contd

no 2532

278-24-946

File No 70-14

29/3/15 Serial No 34

Diary No of letter replied to 5863

GENERAL AND REVENUE
SECRETARIAT
(Mum.)

Proceedings of the Government of His Highness
the Maharaja of Mysore

On the 23.3 1915.

READ—

G.O. No 7190-2 dated

the 18th Feb. 1910 sanctioning the
acquisition of certain properties
to the east of the Fort Centre Road

Date of issue 24.3 1915

Signed by Mr H.V. Ramaswami

in the Bangalore City for being
given to the Vokkaligara Sangha,
the estimated cost of acquisition
being Rs 2235/- being met from
State Funds

over

SUBJECT

2) Correspondence ending with letter no. 5547 dated the 15th March 1915 from the Dy. Com^r, Bangalore Distt., stating that the provision in the current year's budget is not sufficient to meet the extra amount of Compensation ^{Rs 787/-} awarded by the Distt. Judge in O S No. 21 of 1911-12 (which was ^{also} confirmed by the Chief Court) in respect of 2 of the aforesaid properties, and requesting early sanction to the payment of the extra amount with interest at 6 per cent & Court Cost

Order thereon 7458-92270-14-34 B dt/3/15

This is an inevitable payment. The Dy Com^r is therefore authorized to make the necessary payment at once to ^{drawing it as an advance} the Treasury, report the amount so paid for the information of the Govt.

G R S 27]

GENERAL AND REVENUE
SECRETARIAT

(Continuation sheet draft form)

2) Separate orders will issue
as to the source of in the current
year's State Budget from
which the charge can be
met

3) The Comptroller is requested
to issue necessary instructions for

For Offg. Secy

[Signature]

the disbursement from advance
not exceeding Rs 1500/- to the
Dy. Comr at once.

To,

The Dy. Comr, Bangalore &
a Comptroller through B. D.

[Signature]
23/3/5

24 3 15
D. N.

No 130/1915-16
Office of the Deputy Commissioner,
Bangalore District.

Dated Bangalore, 26th June 1915.

From

30

K Chandy, Esquire, B.A.,
Deputy Commissioner,
Bangalore District.

To

D.M Narasinga Rao, Esquire, B.A., B.L.,
Offg. Secretary to the Government of Mysore,
General and Revenue Departments,
Bangalore.

Sir,

With reference to Government Order No 7458-9/ML 70-14-34 dated the 15th March 1915 authorising me to draw an advance to the extent of Rs. 1,500/- and to make payments to the parties in O S. suit No. 21 of 1911-12 in the District Judge's Court in respect of certain properties acquired for Vakkali-gara Sangha, I have the honour to state that out of Rs 1,500/- drawn as advance a sum of Rs. 921-11-0 has been paid to the parties as noted in the margin by the District Judge, Bangalore and the

Rs 528-13-0	to 1st Claimant Kidigannappa	lore and the
392-14-0	to 3rd Claimant Rukminamma	
	(decree holder in Execution	balance of
<u>921-11-0</u>	No. 8/1914-15)	

Rs 578-5-0 has been credited to the District Treasury for adjustment towards the said advance.

I have the honour to be,

S i r

Your most obedient servant

[Signature]
for Deputy Commissioner,
Bangalore District.
(absent from station)

[Signature]

From

^{11/191}
The Deputy Commissioner
Bangalore District

To

The Secretary to the Govt
General & New Works

Dated

Despatched 30-6-15

Received

General No. 842
No.

Enclosure No

Re. G.S. Smt no 2 of 1911-12
in the Dist. Judges court
in respect of certain
properties acquired for
Vokkaligara Sangha

